

Executive Order 12866 and Regulatory Flexibility Act

This interim rule is subject to Executive Order 12866. However, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

In accordance with the Regulatory Flexibility Act, we have analyzed the potential economic effects of this action on small entities. The analysis is summarized below. The full analysis may be viewed on the Regulations.gov Web site (see ADDRESSES above for instructions for accessing Regulations.gov) or obtained from the person listed under FOR FURTHER INFORMATION CONTACT.

APHIS is amending the ALB regulations by removing the boroughs of Manhattan and Staten Island in New York City and Suffolk and Norfolk Counties, MA, from the list of areas quarantined for ALB.

For more than 400 establishments located in the boroughs of Manhattan and Staten Island in New York City, as well as nearly 250 establishments in the counties of Norfolk and Suffolk in Massachusetts, the interim rule will have a positive impact by allowing all entities that previously had compliance agreements with APHIS to again offer services and move regulated articles without APHIS inspections or other time constraints resulting from the quarantine. The majority of these entities are nursery dealers.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This interim rule contains no information collection or recordkeeping requirements under the Paperwork

Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, we are amending 7 CFR part 301 as follows:

PART 301—DOMESTIC QUARANTINE NOTICES

■ 1. The authority citation for part 301 continues to read as follows:

Authority: 7 U.S.C. 7701–7772 and 7781–7786; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75–15 issued under Sec. 204, Title II, Public Law 106–113, 113 Stat. 1501A–293; sections 301.75–15 and 301.75–16 issued under Sec. 203, Title II, Public Law 106–224, 114 Stat. 400 (7 U.S.C. 1421 note).

■ 2. In § 301.51–3, paragraph (c) is amended as follows:

■ a. Under the heading for Massachusetts, by removing the entry for Suffolk and Norfolk Counties; and

■ b. Under the heading for New York, by revising the entry for New York City.

The revision reads as follows:

§ 301.51–3 Quarantined areas.

* * * * *
(c) * * *

New York

New York City. That area in the boroughs of Brooklyn and Queens in the City of New York that is bounded by a line beginning at the point where the Brooklyn Battery Tunnel intersects the Brooklyn shoreline of the East River; then east and north along the shoreline of the East River to its intersection with the City of New York/Nassau County line; then southeast along the City of New York/Nassau County line to its intersection with the Grand Central Parkway; then west on the Grand Central Parkway to the Jackie Robinson Parkway; then west on the Jackie Robinson Parkway to Park Lane; then south on Park Lane to Park Lane South; then south and west on Park Lane South to 112th Street; then south on 112th Street to Atlantic Avenue; then west on Atlantic Avenue to 106th Street; then south on 106th Street to Liberty Avenue; then west on Liberty Avenue to Euclid Avenue; then south on Euclid Avenue to Linden Boulevard; then west on Linden Boulevard to Canton Avenue; then west on Canton Avenue to the Prospect Expressway; then north and west on the Prospect Expressway to the Gowanus Expressway; then north and west on the Gowanus Expressway; then

north on Hamilton Avenue to the point of beginning.

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Done in Washington, DC, this 5th day of August 2015.

Kevin Shea,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2015–19697 Filed 8–10–15; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 319

[Docket No. APHIS–2013–0059]

RIN 0579–AD85

Importation of Fresh Unshu Oranges From Japan Into the United States; Technical Amendment

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule; technical amendment.

SUMMARY: In a final rule published in the *Federal Register* on October 27, 2014, and effective on November 26, 2014, we amended the regulations concerning the importation of citrus fruit to remove certain restrictions on the importation of Unshu oranges from Japan. Among other amendments, we removed a requirement for joint inspection of the fruit at groves and packinghouses by the Government of Japan and the Animal and Plant Health Inspection Service. As an unintended consequence of removing that requirement, we effectively precluded the Government of Japan from being able to meet another one of the requirements of the regulations, which requires oranges produced on two islands in Japan to be fumigated with methyl bromide prior to exportation to the United States, if the oranges are destined for certain commercial citrus-producing areas of the United States. This document corrects that error.

DATES: Effective August 11, 2015.

FOR FURTHER INFORMATION CONTACT: Mr. David Lamb, Senior Regulatory Policy Specialist, Regulatory Coordination and Compliance, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737–1236; (301) 851–2103.

SUPPLEMENTARY INFORMATION: In a final rule¹ that was published in the *Federal*

¹ To view the rule, supporting analyses, and comments we received, go to <http://>

Register on October 27, 2014 (79 FR 63807–63809, Docket No. APHIS–2013–0059), and effective on November 26, 2014, we amended the regulations concerning the importation of citrus fruit (referred to below as the regulations) to remove certain restrictions on the importation of Unshu oranges from Japan. Among other changes, we removed a requirement from the regulations that required the oranges to be grown in export areas in Japan that are free of citrus canker (*Xanthomonas citri* subsp. *citri*, referred to as Xcc), with buffer zones that are similarly free of Xcc, based on joint inspection by the Government of Japan and the Animal and Plant Health Inspection Service (APHIS). We also removed a requirement from the regulations that required the national plant protection organization (NPPO) of Japan and APHIS to jointly inspect fruit in the groves prior to and during harvest, as well as in the packinghouses during packinghouse operations. We removed these requirements in order to make our regulations concerning the importation of Unshu oranges from Japan consistent with our domestic regulations concerning the interstate movement of citrus fruit from areas quarantined for citrus canker, which do not require APHIS oversight of grove or packinghouse inspections.

As a result of the rule, APHIS believed that its presence in Japan to help oversee the export program for Unshu oranges to the United States was no longer necessary. Accordingly, we recalled inspectors assigned to that program to the United States.

However, our final rule retained provisions in the regulations that required Unshu oranges imported from Shikoku and Honshu Islands in Japan to be fumigated with methyl bromide in accordance with 7 CFR part 305 after harvest and prior to export to the United States, if the oranges are to be imported into Arizona, California, Florida, Hawaii, Louisiana, or Texas, all of which have significant commercial citrus production. We also retained provisions of the regulations that prohibited Unshu oranges from Shikoku or Honshu Island that have not been fumigated with methyl bromide in accordance with 7 CFR part 305 from being imported into Arizona, California, Florida, Hawaii, Louisiana, or Texas.

Within part 305, § 305.4 requires any treatment performed outside of the United States to be monitored and certified by inspector or an official authorized by APHIS, and further

provides that all treatments are subject to monitoring and verification by APHIS.

As a matter of APHIS policy, we currently require chemical treatments performed outside the United States to be monitored and certified by APHIS inspectors and do not authorize other officials to perform such functions in our absence. Accordingly, when we recalled APHIS inspectors assigned to the export program for Unshu oranges to the United States from Japan, we effectively precluded Shikoku and Honshu Islands from administering the methyl bromide treatment required by the regulations for citrus destined to Arizona, California, Florida, Hawaii, Louisiana, or Texas. We thus inadvertently prohibited the two islands from shipping Unshu oranges to those States.

This was not our intent. Therefore, we are amending the regulations to allow Unshu oranges from Shikoku or Honshu Islands to be fumigated with methyl bromide at the port of entry into Arizona, California, Florida, Hawaii, Louisiana, or Texas. We are also amending the regulations to allow such oranges to be shipped to Arizona, California, Florida, Hawaii, Louisiana, or Texas without prior methyl bromide fumigation, provided that they are fumigated at the port of entry in Arizona, California, Florida, Hawaii, Louisiana, or Texas.

List of Subjects in 7 CFR Part 319

Coffee, Cotton, Fruits, Imports, Logs, Nursery stock, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Rice, Vegetables.

Accordingly, we are amending 7 CFR part 319 as follows:

PART 319—FOREIGN QUARANTINE NOTICES

- 1. The authority citation for part 319 continues to read as follows:

Authority: 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

- 2. Section 319.28 is amended by revising paragraphs (b)(6) and (b)(8)(ii) to read as follows:

§ 319.28 Notice of quarantine.

* * * * *

(b) * * *

(6) To be eligible for importation into Arizona, California, Florida, Hawaii, Louisiana, or Texas, each shipment of oranges grown on Honshu Island or Shikoku Island, Japan, must be fumigated with methyl bromide in accordance with part 305 of this chapter

either after harvest and prior to exportation to the United States, or upon arrival at the port of entry in Arizona, California, Florida, Hawaii, Louisiana, or Texas. Fumigation will not be required for shipments of oranges grown on Honshu Island or Shikoku Island, Japan, that are to be imported into States other than Arizona, California, Florida, Hawaii, Louisiana, or Texas.

* * * * *

(8) * * *

(ii)(A) Unshu oranges from Honshu Island or Shikoku Island, Japan, may not be imported into American Samoa, Northern Mariana Islands, Puerto Rico, or the U.S. Virgin Islands.

(B) Unshu oranges from Kyushu Island, Japan (Prefectures of Fukuoka, Kumamoto, Nagasaki, and Saga only) that have not been fumigated in accordance with part 305 of this chapter may not be imported into American Samoa, Arizona, California, Florida, Hawaii, Louisiana, the Northern Mariana Islands, Puerto Rico, Texas, or the U.S. Virgin Islands.

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Done in Washington, DC, this 5th day of August 2015.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2015–19698 Filed 8–10–15; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Part 457

[Docket No. FCIC–14–0004]

RIN 0563–AC44

Common Crop Insurance Regulations; Macadamia Tree Crop Insurance Provisions Correcting Amendment

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Final rule; correcting amendment.

SUMMARY: This document contains necessary amendments for addressing potential ambiguities in the final regulation for Macadamia Tree Crop Insurance Provisions, which was published on April 16, 2015 (80 FR 20407–20413).

DATES: This rule is effective August 11, 2015.

FOR FURTHER INFORMATION CONTACT: Tim Hoffmann, Director, Product Administration and Standards Division,